

TO: Maine Board of Environmental Protection  
FROM: Representative Jared F. Golden (ME-02), Lewiston, ME  
DATE: August 28, 2023  
SUBJ: Chapter 128, California Advanced Clean Trucks Regulation, Rulemaking

On May 23, 2023, the Department received a citizen petition to initiate rulemaking pursuant to 5 M.R.S. § 8055. The petition was submitted by Emily K. Green of the Conservation Law Foundation, Matthew Cannon of the Sierra Club, and Jack Shapiro of the Natural Resources Council of Maine, and included the certified signatures of more than 150 registered voters. The petition proposes to adopt California's Advanced Clean Trucks regulation to encourage the sale of electric medium- and heavy-duty vehicles greater than 8,500 pounds GVWR. Please accept this as my written testimony in opposition to the adoption of this proposed rule.

Mainers proudly work to protect the environment of our state. I, too, wish to take steps to address the threats of climate change and the goal of keeping our pristine vistas along our coast, mountains, and farmlands intact. Zero Emission Vehicles (ZEV) will eventually – and undoubtedly – play a role in those efforts. Forcing manufactures – via dealerships in Maine – to offer ZEV medium and heavy duty trucks absent any connection to market forces or the pace of advances in that technology, or its necessary accompanying infrastructure, is, in my opinion, unwise.

Maine's Second Congressional District is among the most rural in the country. Our heritage industries of fishing, farming, and forestry depend on over-the-road heavy hauling. Additionally, many in those trades employ the use of medium duty service trucks tending to farming, fishing, and forestry equipment in remote and undeveloped areas of the state. Dana Doran, Executive Director of the Professional Logging Contractors of Maine spoke of this in his testimony before the BEP earlier this month:

*“...membership hauls and delivers raw forest products throughout the state from the forest to the mill. The majority of the product that our members haul is derived from remote forested areas and is delivered by heavy duty trucks to other rural areas. These trucks generally operate in areas without access to electrical infrastructure, must be able to function 24 hours a day and must be reliable at all times of year, especially in the winter. Put simply, this industry cannot safely and sensibly be mandated to use Heavy Duty Zero Emission Vehicles in locations that lack the proper electrical infrastructure to support them. Forcing the industry to use these vehicles without the infrastructure puts the entire forest products supply chain at risk...”*

I have heard similar concerns when talking with many leaders in the commercial fishing and farming industries. Additional testimony given by Randy Hutchins, President and CEO of

O'Connor Chevrolet, should also give pause. Mr. Hutchins' dealership provides a large percentage of medium and heavy duty trucks to the market in central Maine. During his testimony he detailed his outreach with manufacturers of these platforms and learned no heavy duty trucks will be available in the quantities required under the timeline set by the proposed rule. Manufacturers also told Mr. Hutchins – according to his testimony – that it was unlikely, without great strides in technology, that ZEV heavy duty vehicles would ever become a reality.

Protecting our environment is of the utmost concern. Investments in new technologies and rewards via tax incentives would be a better course of action when compared to the proposed adoption of California's Advanced Clean Trucks regulation. I was proud to support the Inflation Reduction Act in the last Congress. The incentives for domestic production of new technologies were a primary driver in gaining my support.

Respectfully, I must register my opposition to the proposed rule 06-096 Chapter C.M.R. 128 California's Advanced Clean Trucks regulation.

Thank you,

Congressman Jared F. Golden (ME-02)  
Lewiston, Maine